

September 29, 2002

Board of Fisheries
PO Box 25526
Juneau, AK 99802-5526

Dear Board Members,

Subject: Marine Protected Areas in Alaska

I am opposed to creating more MPA's .

The Board of Fish has established management plans for areas and species. The primary propose of these plans is to protect the resource and habitat.

Most of the state of Alaska west of the panhandle is so remote that it is impossible to over harvest a specific area with the conservative nature of the Department of Fish and Game and the Board. The state is divided into statistical harvest areas so the Department can monitor and the Board can regulate to insure that specific area depletion will not occur. We are presently using methods and means as well as restricting time and effort to prevent over harvest and to preserve the biological communities as well as the habitat.

More and more unnecessarily restrictive regulations passed are being passed. The small boat fleet has been severely effected. We are scratching in every fishery possible to keep our heads above water and stay viable. Because of the operating expense of the VMS, this requirement will eliminate duly licensed vessels from prosecuting fisheries to which they are entitled. If any more MPA's are created it will have a similar results eliminating more jobs and have a negative impact on already economically depressed areas of the state.

Don N. Bunker
PO Box 604
Anchor Point, AK 99556
Ph. 907-235-6935



CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-9983

October 1, 2002

Doug Woodby, MPA Task Force
Alaska Department of Fish and Game
Commercial Fisheries Division
P.O. Box 25526
Juneau, AK 99801

Dear Mr. Woodby,

On behalf of the Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council), I would like to take this opportunity to comment on the document entitled "Marine Protected Areas in Alaska: Recommendations for a Public Process".

Executive Order 13158 directs federal agencies to strengthen and expand a national system of Marine Protected Areas (MPAs) by working with states, Tribes, local and other stakeholders. In addition, states and Tribes are specifically pointed as having authorities to establish and manage MPAs in the Executive Order.

I recommend your report to the Alaska Board of Fisheries be strengthened by incorporating language specifically calling for coordination with federally recognized Tribes in Alaska. Tribal involvement should be specifically mentioned in the following sections:

1. Public Involvement Process, item 1. Identify Tribes, as well as stakeholders, to solicit their involvement. Tribes should be represented on the statewide advisory group or panel.
2. Reserve Site Selection, item 2. Interdisciplinary forum should include Tribes, along with scientists, specialists and stakeholders.
3. Reserve Site Selection, item 4, 5, or 6. These sections deal with reserve criteria in three tiers. Traditional Ecological Knowledge of historic fisheries and current traditional use of Alaska Natives should be included to help document longer-term fish use patterns in Alaska. This information should supplement the scientific ecological criteria you are currently planning to use.

Including this language would be in accordance with both the "Millennium Agreement between the Federally Recognized Sovereign Tribes of Alaska and the State of Alaska" and the Alaska Department of Fish and Game and Alaska Boards of Fisheries and Game "Policy on Government-to-Government Relations with Federally Recognized Tribes of Alaska".

It is not unprecedented to include Tribes in your MPA process. Appendices in your document describe examples of where the federal government will be coordinating with Tribes in their national effort of addressing MPAs. In addition, the State of Washington has set out to co-manage MPA's with Tribes on the Puget Sound and British Columbia has cited instances where they have coordinated and involve First Nations in their process.

I appreciate your consideration of including language to coordinate with Tribes in your Marine Protected Areas in Alaska: Recommendations for a Public Process. If you have any questions, please contact Cathy Needham, Environmental Planner at 463-7187.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward K. Thomas". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

Edward K. Thomas
President



October 2, 2002

Mr. Doug Woodby, Chair
MPA Task Force
Alaska Department of Fish and Game
Division of Commercial Fisheries
P.O. Box 25526
Juneau, AK 99801

Re: Marine Protected Areas in Alaska — Recommendations for a Public Process

Dear Mr. Woodby:

Via email (MPA_program@fishgame.state.ak.us) and U.S. Mail

Dear Mr. Woodby::

These comments on the above-referenced public process recommendations for Marine Protected Areas ("MPA's") are submitted on behalf of Chugach Alaska Corporation ("Chugach"), the Alaska Native Regional Corporation for the Chugach region established pursuant to the Alaska Native Claims Settlement Act of 1971, as amended, 43 U.S.C. § 1601, *et seq.* ("ANCSA"). Chugach owns or has valid selection rights to over 927,000 acres of surface estate, subsurface estate and oil and gas rights, of which a large majority is immediately adjacent to tidewater. In addition to ANCSA, Chugach's rights with respect to its lands are governed by the Alaska National Interest Lands Conservation Act of 1980, 16 U.S.C. § 3101, *et seq.* ("ANILCA"), and the 1982 Chugach Natives, Incorporated Settlement Agreement ("1982 CNI Settlement").

Many of Chugach's economically viable lands are adjacent to or require access from the waters of Prince William Sound or the Gulf of Alaska. When applied to the Chugach Region, the potential for MPA designation to facilitate efforts to frustrate or impair Chugach's access to its land and Chugach's ability to utilize tidelands for resource transfer facilities and other infrastructure required for the economic enjoyment of our lands is abundantly clear. For this reason, it is imperative that the MPA selection and designation process include Chugach and other ANCSA corporations at the table early in the process to the extent that such designations may impact upland uses and subsistence practices.

While it is commendable that the ADF&G has taken the initiative to develop a public process for establishment of MPAs in Alaska, we must caution the task force that the effectiveness of MPAs in Alaska cannot be predicated on successes or failures elsewhere. Alaska marine ecosystems cannot be compared to tropical marine ecosystems, or North Atlantic ecosystems for that matter.

The basis for establishment of MPAs in Alaska must come from scientific knowledge of North Pacific marine ecosystems and the species that inhabit them. Such knowledge is sorely lacking in many waters of the state. It is our opinion, therefore, that the first and longest step in the establishment of MPA's in Alaska is the design and implementation of a comprehensive study of AK waters suitable for making wise choices about location and size of MPA's here. Since one half of all fish and shellfish landings in the US come from Alaska waters, any new designations, particularly no-take marine reserves, will have a significant effect on the commercial fishing community as well as the state economy. New designations should be made only after the science is in place to justify such designations.

It is our fear that nominations for MPA's will be based, not on sound science, but rather on the "wish lists" of environmental groups who view this process as another tool for closing all of Alaska to all commercial activities. For instance, the National Wildlife Federation recently published a document titled "Prince William Sound; Biological Hotspots Workshop Report" which identifies 14 "Hot Spots" based on the opinions of the January, 2001 one day workshop attendees. Hotspots were ranked based on a vote of the attendees. While the ADF&G task force was not formed until November 2001, we cannot help but think that the National Wildlife Federation held this workshop in anticipation of MPA designations as directed through executive Order 13158.

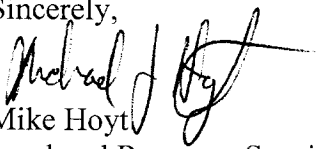
The MPA Task Force report lists over 200 individual marine protected areas in 18 different categories administered by nine state and federal agencies under various programs. This inventory does not include the essential fish habitat (EFH) and habitat areas of particular concern (HAPC) programs currently being drafted by the North Pacific Fisheries Management Council (NPFMC). What percentage of Alaska waters do the current protected areas represent? How many additional acres of marine waters will fall under the new programs being developed by the NPFMC? Will the MPA designation replace current designations in Alaska waters or will it simply be another level of protection?

The Task Force Report acknowledged that funding for scientific and management planning aspects of the MPA program has not been secured. It is essential that no designations be made until sufficient scientific analysis has been conducted, even if it means missed timelines. The baseline data is a very necessary first step to any new designations.

In conclusion, we urge the task force to define the scientific analysis required to justify establishment of MPA's in Alaska, given the lack of knowledge of their potential effect here. We also urge the task force to secure the funding required for such in analysis prior to moving further into the designation process. We also ask that process stakeholders include ANCSA corporations dependent on tidelands for upland access as well as marine waters for subsistence activities.

Thank you for the opportunity to comment on this very important issue. We look forward to working with the MPA Task Force and the Board of Fisheries as this process develops. A well-designed MPA program will become an important management tool for the State only if it is designed properly and achieves the desired goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hoyt", with a long horizontal flourish extending to the right.

Mike Hoyt
Land and Resource Specialist

THE CONSERVATION FUND

BRAD A. MEIKLEJOHN
ALASKA REPRESENTATIVE
9850 HILAND ROAD
EAGLE RIVER, ALASKA 99577
(907) 694-9060
FAX (907) 694-9070

September 16, 2002

MPA Task Force
ATTN: Doug Woodby
AK Department of Fish and Game
Commercial Fisheries Division
P.O. Box 25526
Juneau, Alaska 99801

RE: Marine Protected Areas in Alaska

Dear Members of the MPA Task Force,

I was surprised and pleased to encounter your report to the Alaska Board of Fisheries, "Marine Protected Areas in Alaska: Recommendations for a Public Process." Thank you for taking up this important work, and for the thoughtful and thorough discussion of the subject. I certainly hope that your work leads to the eventual creation of a network of marine protected areas in Alaska.

I have enclosed here a copy on an op-ed by Dr. Sylvia Earle and me and published in the Anchorage Daily News. I ask that you include this piece in the comment record so that I don't have to reiterate the points made there.

I have a few comments on your document. The 2nd paragraph on page 26 starts with the sentence "Reserves can't be too small," implying that smaller is better. This sentence should correctly read "Reserves **can** be too small." Further on size, I encourage you to think at a much greater scale than the "few kilometers to 10's of kilometers" recommended by Roberts et al. (2001). On land we have parks and refuges up to 30,000 square miles in size (i.e.; Arctic National Wildlife Refuge). What evidence do we have that reserves should be smaller in the oceans than they are on land?

The last sentence in the first paragraph on page 28 implies that marine use patterns will be greatly disrupted if reserves are overly-large. Someone's ox (or halibut) will be gored in the process of creating an effective marine reserve system. I don't think the size and location of marine protected areas should be a function of how much pain they might cause. Of course there will be a huge outcry from certain sectors, much as there was during the d-2 process. But just as the protected areas created under ANILCA have proven to be an economic boon for Alaska, I predict the long-term benefits of an expansive marine conservation system will far outstrip the short-term benefits to those who will be displaced.

I am dismayed that throughout the document the main rationale for marine protected areas is that they enhance commercial fisheries in surrounding waters. This is a bit like arguing that the primary benefit of Denali National Park is that it produces bigger moose for hunters in Cantwell and Healy. One of the main reasons we need marine parks, marine refuges, and marine wilderness areas is to provide places where ocean life can proceed on its own terms without the dominating and manipulating influences of humanity.

Thanks for launching what promises to be a lengthy discussion about marine protected areas in Alaska. I certainly hope that one day Alaska will boast of a marine conservation system to match our world-class terrestrial conservation system.

Sincerely,

Brad Meiklejohn
Alaska Representative

Enclosure

Alaska must protect sea life as it does wildlife

By BRAD MEIKLEJOHN
and Dr. SYLVIA EARLE

Alaska's marine waters are the envy of the world. The herds of sea lions, rafts of puffins and pods of killer whales that you see from a boat are just the tip of an incredible marine wonderland. Stick your head underwater sometime to glimpse a realm teeming with wild critters — weather vane scallops, thornyhead rockfish, starry flounder, giant grenadier, decorator crab and pinto abalone — along with vast schools of salmon, herring and cod.

The oceans are engines that drive Alaska's ecology and economy. They nourish our famous bears and eagles and nurture our giant coastal rain forests. The oceans sustain us with red salmon from the Copper River, bowhead whales taken at Barrow and clams dug at Clam Gulch. Alaska's waters provide the most lucrative commercial fisheries in the world for pollock, crab, cod, salmon and halibut. And each summer, hundreds of thousands of visitors come from around the world to marvel at Alaska's pristine seas and abundant sea life from the decks of cruise ships.

The abundance of marine life is what sets Alaska's waters apart from other regions of the world. You can travel the coasts of Chile,



Japan or Norway for months and see less wildlife than during a half day in Glacier Bay, Kenai Fjords or Prince William Sound. Alaska's marine environment is still largely intact, and that is precious and rare.

Yet Alaska is not immune to the problems that have decimated the world's oceans. Signs of stress in our marine environment are growing. In recent years we have seen serious declines in beluga whales, Steller sea lions, short-tailed albatross, harbor seals and eiders. We've had salmon runs go missing in Bristol Bay, and herring shows in Prince William Sound. Giant red king crab, once the pride of Kodiak, have been reduced largely to legend. Oceans around the world have seen bounty quickly give way to scarcity, and Alaska's oceans are no less vulnerable.

Why have we have done so much to protect Alaska's land-based creatures, but so little for those animals that live in the sea? We have set aside roughly 40 percent of our land area in the world's finest network of parks and refuges, yet less than 0.1

percent of Alaska's state and federal marine waters are dedicated to wildlife conservation. Because of our vast, protected wild lands we have very few endangered species on land. In contrast, the majority of Alaska's serious conservation problems and threatened and endangered species are in our oceans.

The principles of conservation that have worked so well on land should be applied to Alaska's oceans. We know the best way to protect wildlife is to protect wildlife habitat, whether on land or at sea. To effectively conserve sea life in Alaska, we should move quickly to establish a system of marine habitat reserves while our seas are still in good shape.

A network of marine reserves or sanctuaries should encompass the full variety of marine habitats and ecosystems in Alaska. Formal protection should be given not only to small, unique sites such as seamounts, corals and crab beds but also to large areas representative of broad ocean regions. Levels of protection in the reserve network should range from no-take sanctuaries closed to commercial exploitation to multiple-use reserves where compatible activities are encouraged.

While the purpose of a marine re-

serve system is conservation of wildlife, research indicates that marine sanctuaries complement commercial fishing by exporting fish to the surrounding waters. Marine sanctuaries also benefit fisheries management and scientific research by providing unexploited control areas. Other benefits are nonconsumptive uses such as whale-watching, which at Stellwagen Bank Sanctuary in Massachusetts brings in annual revenues exceeding \$100 million.

An Alaska network of marine reserves should be carefully designed by top scientists. The North Pacific Fishery Management Council is required to identify essential fish habitat in federal waters off Alaska. Similar work should be done in state-managed waters, and once identified, these habitat areas should be formally protected and managed primarily for their conservation values.

What we are proposing is not new. More than 1,200 marine parks and sanctuaries have been established worldwide, including 12 in the United States. Australia's Great Barrier Reef Marine Park encompasses 86 million acres, while nearby New Zealand has set a goal of protecting 10 percent of its marine waters before 2000. More than 200

scientific papers have documented the effectiveness of marine reserves, and top researchers now call for the protection of at least 20 percent of the world's marine waters.

Here in Alaska, a few pieces of an effective marine network are in place, with the Alaska Maritime National Wildlife Refuge, Copper River Delta State Critical Habitat Area, Glacier Bay National Park, Kachemak Bay National Estuarine Research Reserve and Walrus Island State Game Sanctuary. These areas should form the nucleus of a world-class marine reserve network that rivals Alaska's land-based conservation system.

The oceans and the creatures of the sea belong to everyone and to no one. Alaska's marine realm is a global treasure, and we should take prudent action to ensure its long-term health. By protecting Alaska's oceans, we will bank an ecological asset that will yield high dividends for generations of people, and fish, to come.

□ Brad Meiklejohn is Alaska representative for The Conservation Fund. Dr. Sylvia Earle is explorer-in-residence at the National Geographic Society and former chief scientist for the National Oceanographic and Atmospheric Administration.



COOK • INLET • KEEPER

VIA EMAIL ONLY

October 2, 2002

Doug Woodby, Chair
MPA Task Force
Alaska Department of Fish and Game
Division of Commercial Fisheries
P.O. Box 25526
Juneau, AK 99801

Re: MPA Task Force Report

Dear Mr. Woodby:

I. Introduction

Cook Inlet Keeper is a citizen-supported nonprofit organization dedicated to protecting the Cook Inlet watershed and the life it sustains. Please accept these comments on behalf of Keeper's 500+ members in the Cook Inlet region on the draft MPA Task Force Report to the Alaska Board of Fisheries.

II. Comments

Keeper strongly supports the concept of MPAs to better protect existing and projected uses of Alaska's productive marine resources, and we appreciate the considerable work of the MPA Task Force to begin this important discussion. Alaska has been a recognized leader in fish management and oceans protection, and Keeper feels this effort can compliment past efforts to promote truly sustainable fisheries through the foreseeable future.

The Task Force Report focuses almost exclusively on fisheries and fishing practices, and Keeper agrees these issues warrant prominent inclusion in any MPA effort initiated in the state. Additionally, however, Keeper believes ample scientific information exists to justify the inclusion of a broader range of uses and activities in an MPA program. Specifically, Keeper believes pollution and coastal habitat protection play important complimentary roles to effective fish management strategies, and should be included in any submission to the Board of Fisheries.

Clearly, fishing poses the fastest and most direct, long term impact to fish survivorship. Yet acute and chronic pollution, coupled with nearshore and coastal watershed habitat destruction, also play a role. For example, research by scientists with the NMFS Auk Bay Laboratory has revealed that polycyclic aromatic hydrocarbons (PAH) are considerably more toxic to juvenile pink salmon than previously thought. Perhaps more importantly, this research has found that chronic toxicity pathways – and not traditional acute routes upon which most modern legal standards are based – can have profound effects on fisheries at the population level.

Additionally, anyone with their thumb on the pulse of Alaska coastal management issues knows we are experiencing the same “death by a thousand cuts” degradation in our coastal watersheds as we have seen time and again in the Lower 48. And because a large percentage of fisheries spend at least some time in nearshore areas where they are susceptible to nonpoint source pollution, sedimentation and other disturbances, it makes sense to include them in an MPA formula. We have a chance to reverse this trend in Alaska, but that window is rapidly closing.

III. Conclusion

Please do not interpret the brevity of these remarks to reflect our level of concern for this issue. We feel strongly about protecting fisheries, and we feel pollution controls and coastal watershed protection should play an active role in any holistic MPA effort to do so.

Thank you for your attention to this matter and please feel free to contact me at (907) 235-4068 or bob@inletkeeper.org if we can provide additional support or information.

Very truly yours,

/s/

Bob Shavelson
Cook Inlet Keeper

September 16, 2002

Doug Woodby
Dept. of Fish & Game
Commercial Fisheries Division
P.O. Box 25526
Juneau, Alaska 99801

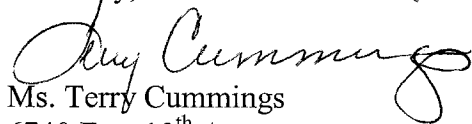
RE: Marine Protected Areas in Alaska – Recommendations for a Public Process

Good Day:

I am in favor of setting up marine protected areas in Alaskan waters. I believe this is a very important goal in safeguarding the many varieties of plant and animal life found in our waters and this would be a much needed step in the right direction. Setting up preserves would not only protect the resources but would ensure that there would be diverse populations of these species for generation to come.

Thank you for the opportunity to comment on this very important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Cummings", with a stylized, flowing script.

Ms. Terry Cummings
6740 East 10th Avenue
Anchorage, Alaska 99504



October 2, 2002

VIA FAX AND FIRST CLASS MAIL

Doug Woodby, MPA Task Force
Alaska Department of Fish and Game
Commercial Fisheries Division
P.O. Box 25526
Juneau, AK 99801

**RE: DRAFT REPORT FOR MARINE PROTECTED AREAS IN
ALASKA**

Dear Mr. Woodby:

Defenders of Wildlife (Defenders) appreciate this opportunity to comment on the Report to the Alaska Board of Fisheries on Recommendations for Marine Protected Areas (MPAs) in Alaska (Report). Defenders, established in 1947, is a national non-profit organization dedicated to the protection of all native wild animals and plants in their natural communities. Defenders focuses its programs on what scientists consider two of the most serious environmental threats to our planet: the accelerating rate of species extinction and associated loss of biological diversity, and habitat alteration and destruction. Long known for its leadership role on endangered species issues, Defenders also advocates new approaches to wildlife conservation that will help prevent species from becoming endangered. Our programs encourage protection of entire ecosystems and interconnected habitats while protecting predators that serve as indicator species for ecosystem health. Defenders has over 400,000 members and supporters and an additional one half million electronic activists nationwide.

In addition, Defenders is one of the leading environmental organizations working to defend and improve the management of the National Wildlife Refuge system. We are also engaged in a number of marine related efforts including participation in a number of marine coalitions such as the Ocean Wilderness Network (OWN) whose goals are to support and create a network of marine reserves that will help restore, enhance and protect the biodiversity and abundance of marine life and underwater habitats along the west coast of the United States, and the Marine Fish Conservation Network, which consists of environmental groups and fishing groups alike and aims to conserve marine fish and to promote their long-term sustainability.

National Headquarters
1101 Fourteenth Street, N.W.
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Telephone: 202-682-9400
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www.defenders.org
www.kidsplanet.org

We commend the Alaska Department of Fish and Game (ADFG) for the hard work and efforts that went into preparing the Report. We believe the creation of this document is a critical first step in establishing the value of MPAs in Alaska. In addition, the Report did a good job in Appendix C of outlining MPA processes in other jurisdictions. We especially identify with the reference to the MPA process in California to adopt regulations that will establish a network of MPAs within the boundaries of the Channel Islands National Marine Sanctuary (CINMS) and the statewide process guided by the Marine Life Protection Act (MLPA) to establish a series of MPAs throughout California. Defenders is very involved in providing comments, attending workshops, and participating in coalitions such as OWN and COOL (Coalition of Organizations for Ocean Life) for both of these California processes. We have included our comments on the Draft Environmental Document for the CINMS process as an attachment.

As the California MPA process has moved along, there has been considerable media attention and reference to scientific reports that demonstrate the multiple benefits of MPAs. In addition, the MPA legislation is designed to increase biodiversity, protect and increase the abundance of a variety of marine life in addition to fish, and protect representative and unique marine life habitats for their intrinsic value and to provide for the continued and increased protection of these valuable marine areas. While we acknowledge that MPAs are important to protect fisheries, we believe that any MPA plan should address the broad spectrum of purposes of MPAs. This coincides with the goals of the Marine Life Protection Act (MLPA), which guides the California MPA process and should be used as a foundation in creating the Alaska MPA process:

- Protect the natural diversity and abundance of marine life and the structure, function, and integrity of marine ecosystems;
- Help to sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted;
- Improve recreational, educational, and study opportunities and manages these uses in a manner consistent with protecting biodiversity;
- Protect representative and unique marine life habitats in California waters for their intrinsic value.¹

Our review of the Report finds that it is too heavily focused on the use of MPAs as a tool for fisheries management rather than the intended primary purpose of increasing biodiversity. This is disappointing as the intent of the MPA legislation acknowledges the abundant scientific evidence previously mentioned and additional benefits which include excluding oil and gas exploration and development, protection of endangered species, and improvements in water quality issues, to name just a few.

More specifically, our criticism of the plan is that, as currently set up, the Alaska MPA process outlined in the report is a fishery process administered by the Board of Fisheries. By ignoring

¹ CA Fish and Game Code §2853(b)

Mr. Doug Woodby
Page 3 of 3
October 2, 2002

the other purposes of MPAs and limiting the strategy of the Report to fisheries recovery and management, the process is falling considerably short in its goal of increasing biodiversity, and therefore is diluting the full potential of MPAs. Defenders believes the Report would be more complete and significantly improved by including these broad range of benefits gained from the establishment of a network of MPAs. Piecemealing of MPAs by different jurisdictions, which is the current plan in Alaska, can only lead to stakeholder confusion.

In conclusion, Defenders recommends that serious revisions to the plan are needed to address the full scope of MPAs. Such revisions must be accompanied by providing additional opportunities for public comment and stakeholder input. As we have seen in California, the process is laborious, complex and requires various stages at which the public and affected stakeholders can provide input.

In addition to these comments, we also incorporate by reference the comments of The Ocean Conservancy. We request that as this process unfolds that there be further opportunities to provide comments on specific sites being considered for MPA designation and that we be notified of such opportunities. We appreciate this opportunity to comment and hope that this is only the first in a series of opportunities to provide input into this very critical plan.

Sincerely,

A handwritten signature in black ink that reads "Jim Curland". The signature is written in a cursive, flowing style.

Jim Curland, Marine Program Associate

Cc: Governor Tony Knowles
Commissioner Frank Rue, **Alaska Department of Fish and Game**
Martin Robards, **The Ocean Conservancy**



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Glacier Bay National Park and Preserve

P.O. Box 140

Gustavus, Alaska 99826-0140

N1619B

September 30, 2002

Marine Protected Areas Task Force
Doug Woodby
Alaska Department of Fish and Game
Division of Commercial Fisheries
Post Office Box 25526
Juneau, Alaska 99801

Dear Mr. Woodby

The National Park Service (NPS) appreciates the opportunity to comment on the Alaska Department of Fish and Game (ADF&G) Report to the Alaska Board of Fisheries titled "Marine Protected Areas in Alaska: Recommendations for a Public Process". The NPS supports and applauds the ADF&G's efforts to investigate and establish Marine Protected Areas within Alaska. By virtue of its National Park status alone and NPS's jurisdiction of the marine waters of Glacier Bay National Park (GLBA), GLBA marine waters constitute by definition a "marine protected area". Within the park, five areas totaling 74 square miles are designated marine wilderness waters (all are closed to commercial fishing, and four are additionally managed as motorless waters during the summer visitor season). Non-motorized waters likely receive little, if any, sport fishing pressure. In addition to the designated wilderness waters, 96 square miles of non-wilderness waters are also closed to commercial fishing.

The NPS is also supportive and pleased that the ADF&G recognize the need for "maintenance of pristine ecosystem structure and function." Although not explicitly stated, this mandate is captured within the NPS' own Organic Act.

With this in mind, we feel strongly that consumptive interests not exert undue influence in this process. Given the state's sustained yield mandate it is not yet clear how the Department will legally and feasibly establish Marine Protected Areas that will be subject to legislative approval (See Appendix A). True MPAs in the strictest sense should not allow resource extraction and, once established, should not allow exemptions from this restriction or termination of protected status. The NPS would argue that the ability to terminate reserve status or revoke habitat protection (P. 6, Item 2c) defeats the Marine Protected Areas purpose and could perhaps undermine the entire process. This idea could have merit in some situations (*i.e.*, rebuilding of stocks, habitat rehabilitation, *etc.*) that would need to be identified up front.

The report refers to recommendations specifically directed at protection of marine habitats, particularly those subject to damage by bottom contact fishing gear (see P. 1, para. 4; P. 6, Item 1e and f; and P. 8 Sensitive Areas; see also P. 4. Item 4: Protected marine habitats). The NPS has continued concerns about impacts to target and other species as well as benthic habitats caused by the weathervane scallop dredge fishery occurring in park waters (up to 3 miles offshore) west of the coastline between Icy Point and Cape Fairweather. We would appreciate Departmental

support in better understanding this fishery and in evaluating short and long-term impacts on target species, bycatch and benthic habitat.

Under the Public Involvement Process (See Page 5, Item 3), the task force suggests a 3-year Board review cycle for Marine Protected Area proposals. We believe that the constraint of a 3 year cycle may limit the number of Marine Protected Area proposals over time. We suggest a shorter review cycle of 1-2 years. We recognize that implementation concerns must also be considered and that the proposed longer 3-year period could result in superior or better thought out proposals.

Under Experimental Controls (See Page 8, 1st paragraph) the NPS is concerned that limiting the size of control areas to that which can be sampled in a statistically valid manner may predispose Marine Protected Area's to failure. For example, sampling constraints for certain widely ranging species could dictate establishment of Marine Protected Area's that are too small or inappropriately configured to effectively protect these species during a significant proportion of their lifetime.

We also suggest that the ADF&G develop a target date (e.g., 5-10 years) and revision schedule for management plans as discussed under the section titled "Guidelines for Management Plans for Reserves" (See Page 9).

Also on Page 9 (See Item 5 "Monitoring and Evaluation") the NPS suggests use of independent scientific personnel for monitoring effectiveness wherever possible. If the evaluation of Marine Protected Area effectiveness can not be feasibly completed by outside researchers, one solution for addressing this issue could be a peer-review panel or publication.

Our specific comments on Appendix B: The Scientific Basis for Reserves is as follows:

On Page 14, 1st para. under *Genetic Benefits*. See also:

Conover, D.O. and S.B. Munch. 2002. Sustaining fisheries yields over evolutionary time scales. *Science* 297:94-96.

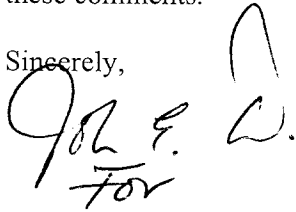
Sutherland, W.J. 1990. Evolution and fisheries. *Nature* 344:814-815.

On Page 28, first bullet under *Summary and Conclusions* we suggest the last sentence is changed to "These results are *significant* despite..."

The NPS believes that the information on Page 29, under the second bullet that starts with "Costs to the fishing industry..." is somewhat misleading because it does not disclose societal costs to the other fisheries that were also included in this estimate. The estimate provided here (\$29 million) also includes impacts to other fisheries (e.g., king crab and groundfish) and fishermen failing to qualify for lifetime access permits in Glacier Bay proper, as well as other individuals and components of the industry affected by the closure. Please feel free to contact Ron Dick at the NPS Commercial Fisheries Compensation office in Juneau at 586-7407 for additional information related to this closure.

We would like to thank you again for the opportunity to comment on this important process. Feel free to contact my office at (907) 697-2322 if you have any questions or concerns relating to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Tomie Lee". The signature is stylized, with a large "T" and "L".

Tomie Lee
Superintendent

Cc: Rob Arnberger, Regional Director, National Park Service
Regina Sleater, Solicitor, Department of Interior
Jed Davis, Assistant Superintendent, Glacier Bay National Park and Preserve
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